

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE CITY OF NEW YORK,

Plaintiff,

-against-

MAGELLAN TECHNOLOGY, INC., ECTO WORLD, LLC, d/b/a Demand Vape, MATTHEW J. GLAUSER, DONALD HASHAGEN, MAHANT KRUPA 56 LLC d/b/a Empire Vape Distributors, NIKUNJ PATEL, DEVANG KOYA, STAR VAPE CORP., NABIL HASSEN, DORBES LLC, d/b/a Hydevapeofficial.com, CHRISTIAN A. SMITH,

Defendants.

Case No. 23-cv-5880-LLS-OTW

NOTICE OF MOTION FOR RECONSIDERATION OF DEFENDANTS MAHANT KRUPA 56 LLC, NIKUNJ PATEL & DEVANG KOYA'S MOTION TO DISMISS PLAINTIFF'S PACT ACT CLAIM

PLEASE TAKE NOTICE that the undersigned counsel for Defendants Mahant Krupa 56 LLC, Nikunj Patel and Devang Koya will move this Court at a date and time convenient to the Court for an Order granting their Motion for Reconsideration of the portion of the Court's Opinion & Order [ECF 103] denying Defendants' Motion to Dismiss Plaintiff's Amended Complaint [ECF No. 20] relating to Plaintiff's PACT Act claim, and for such other and further relief as the Court deems just and proper.

A supporting memorandum of law joining in the memorandum of law to be filed by the Magellan defendants is filed in conjunction herewith.

Dated: June 21, 2024

Respectfully submitted,

Moses & Singer LLP

By: /s/ Paul M. Eckles
Paul M. Eckles
Mark N. Parry
Barry S. Zone
Philippe A. Zimmerman
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
Phone: (212) 554-7800
Fax: (212) 554-7700
peckles@mosessinger.com
mparry@mosessinger.com
bzone@mosessinger.com
pzimmerman@mosessinger.com

*Attorneys for Defendants Mahant
Krupa 56 LLC, Nikunj Patel &
Devang Koya*

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June 2024, I caused the foregoing to be electronically filed with the Clerk via the Court's ECM/ECF system and thereby electronically served on all counsel of record.

/s/ Paul M. Eckles